

MINUTES OF MEETING  
RUSH RIVER WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
MAY 19, 2015

The Rush River Water Resource District met on May 19, 2015, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Raymond Wolfer, Chairman; William A. Hejl, Manager; Richard Sundberg, Manager; Carol Harbeke Lewis, Secretary-Treasury; Brenda Lovgren, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; Brady Woodard, Moore Engineering, Inc.; Tom Soucy, Cass County Engineer; Lloyd Knight and David Strand, Amenia Township property owners; Tim Iwen, Arthur resident; James Ueland, Brent Rust, Dennis Rust, Keith Monson, Wayne Hoglund, Clarence Krogh, and Jeff Herr, property owners along the Lower Rush River.

**Minutes**

It was moved by Manager Hejl, seconded by Manager Sundberg and unanimously carried to approve the minutes of the April 21, 2015, meeting.

**Cleanout of the Lower Rush River from the outlet, west 5 miles**

Keith Monson expressed his concerns to the Board regarding the culvert size between the SE 1/4 of Section 32 and SW 1/4 of Section 33 in Harwood Township where the Lower Rush River meets the Sheyenne River. Mr. Monson said the culvert is full of debris and not large enough for water to flow through fast enough.

Dennis Rust addressed the Board regarding the Lower Rush River from the outlet, west 5 miles to the railroad tracks. The lower portions in Section 31 and Section 32 of Harwood Township back up with water from the Sheyenne River. There are a few low water crossing areas approximately two miles west of County Road 22. There is a bridge opening one mile west of the township road, between Section 31 and Section 32. Mr. Rust said there is silt built up in the lower end of the channel and he is requesting cleanout of the Lower Rush River. The Upper Rush River does not have cattails that cause the water from flowing.

Manager Hejl said construction of the Metro Flood Diversion Project would eliminate the back up of water from the Sheyenne River.

Mike Opat commented that the county and township roads have different requirements as to the size of culverts in place. The smaller culvert near the outlet can slow the flow of water and cause silt and cattails to settle in the drain.

Tom Soucy said the culvert was replaced by the Cass County Highway Department. Mr. Soucy will look at the hydraulics and plans. Mr. Soucy pointed out that the ditch flows out when the Sheyenne River goes down. Mr. Monson suggested installing a culvert above the existing culvert. Brady Woodard suggested it may be better to install a lower culvert. He pointed out the difference between flood events and drainage. Drains are designed for 10-year flood events.

Funds are available for repairs and cleanout. Mr. Opat was instructed by the Board to look at the profile of the drain and complete plans and specifications creating a .05 slope.

It was moved by Manager Hejl and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to survey the Lower Rush River in Section 2 of Raymond Township and Sections 31 and 32 in Harwood Township, to the outlet, and report back to the Board with findings. Upon roll call vote, the motion carried unanimously.

Mr. Monson would like to be notified prior to surveying the culvert between the SE 1/4 of Section 32 and SW 1/4 of Section 33 in Harwood Township where the Lower Rush River meets the Sheyenne River.

#### **Drain No. 2 Channel Improvement Project No. 2015-01**

Mike Opat said the bid opening for Drain No. 2 Channel Improvement Project No. 2015-01 will be scheduled for late June 2015. State Water Commission cost-share has been approved for the project.

#### **Utility Permits for Cass Rural Water Users to install water lines under the Sheyenne River in the NW 1/4 of Section 28 in Harwood Township and under Drain #30 in the SW 1/4 of Section 8 in Harwood Township**

It was moved by Manager Hejl and seconded by Manager Sundberg to approve the *Utility Permits* for Cass Rural Water Users to install water lines under the following, subject to conditions provided by the Water Resource District Engineer:

- Sheyenne River in the NW 1/4 of Section 28 in Harwood Township; and
- Drain #30 in the SW 1/4 of Section 8 in Harwood Township.

Upon roll call vote, the motion carried unanimously.

#### **Rush River Watershed Detention Study**

The *Memorandum of Understanding* between the Red River Retention Authority and the Natural Resources Conservation Service (NRCS) regarding the Regional Conservation Partnership Program (RCPP) will be signed on May 21, 2015. The process could take two months before agreements are available for the individual Water Resource Districts. Once agreements are in place, individual team meetings may be scheduled.

#### **Bills**

It was moved by Manager Sundberg and seconded by Manager Hejl to approve payment of Checks #4046 through #4050, and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Wolfer, Hejl, and Sundberg. The Chairman declared the motion passed.

**H&S Contracting, Inc. Time and Material Billing Report**

It was moved by Manager Sundberg and seconded by Manager Hejl to approve payment of Check #4051 to H & S Contracting, Inc. for pipe removal and replacement and channel excavation on the Lower Rush River in Sections 9 and 10 of Harmony Township. Upon roll call vote, the motion carried unanimously.

**De-authorization of federal projects on the Rush River**

Draft letters from Randy Gjestvang regarding de-authorization of the federal projects on the Rush River were discussed. De-authorization of the projects would eliminate the need to obtain a Section 408 Permit for future work on the projects. It was moved by Manager Hejl and seconded by Manager Sundberg to approve and authorize the Chairman to sign a letter to the Corps of Engineers requesting de-authorization of the federal projects on the Rush River and Lower Rush River. Upon roll call vote, the motion carried unanimously.

**Drain #52 – drop structure east of State Highway 18**

Mike Opat reviewed the cost estimate of \$12,000 for a rock drop structure on Drain #52, east of State Highway 18. It was moved by Manager Hejl and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to proceed with the drop structure on Drain #52, east of State Highway 18, and to contact the North Dakota Department of Transportation regarding concurrence and cost-share on the project. Upon roll call vote, the motion carried unanimously.

**Adjournment**

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

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Raymond Wolfer  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer